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SUMMARY RECORD OF THE 47th MEETING

Chairman: Mr. VAN DER HEIJDEN (Netherlands)
(Vice-Chairman)

CONTENTS

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

AGENDA ITEM 115: SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued)

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In the absence of Mr. Kukan (Slovakia), Mr. Van Der Heijden (Netherlands), Vice-Chairman, took the Chair.

The meeting was called to order at 7.20 p.m.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued) (A/48/58-S/25024, A/48/63 and 68, A/48/74-S/25216, A/48/75-S/25217, A/48/77-S/25231, A/48/88-S/25310, A/48/93 and 94, A/48/113-S/25397, A/48/116, 120, 125, 136, 152 and 174, A/48/176-S/25834, A/48/177-S/25835, A/48/181, 184 and 201, A/48/203-S/25898, A/48/211 and 214, A/48/217-S/25986, A/48/222, A/48/261-S/26073, A/48/262 and 273, A/48/291-S/26242, A/48/294-S/26247, A/48/302, 307 and 330, A/48/335-S/26390, A/48/357, 370 and 394, A/48/395-S/26439, A/48/396-S/26440, A/48/401, 446, 484, 496 and 564)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/48/210-E/1993/89, A/48/283, 340, 342, 425, 509 and Add.1, 510, 575, 576, 589 and 590; A/C.3/48/7 and A/C.3/48/8)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) A/48/92-S/25341, A/48/261, A/48/274-S/26125, A/48/295, 298 and 299, A/48/351-S/26359, A/48/387-S/26424, A/48/525, 526 and Add.1, 561 and 562, A/48/570-S/26686, A/48/577, 578, 579, 584, 600 and Add.1 and 601; A/C.3/48/9 and A/C.3/48/13; A/C.3/48/L.17)

AGENDA ITEM 115: SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/48/82, 156, 208, 220, 223, 259 and 511; A/C.3/48/16)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued) (A/48/242; A/C.3/48/1/Add.1)

1. Mr. GUILLEN (Peru) stressed the interest which the question of the establishment of a United Nations High Commissioner for Human Rights had elicited. If that post was to be established, the High Commissioner should have a reasonable mandate, in other words, one that was neither so broad that he would not be answerable to the General Assembly, nor so narrow that he would simply become a rapporteur on a broad range of topics. In order to forestall any doubts which might arise in connection with his work, the High Commissioner should submit, each year, a report on what he planned to accomplish. The existence of a High Commissioner would enhance the human rights machinery of the United Nations system and would provide it with a proper approach, one that avoided the politicization of human rights.

2. The international community had already shown that it could respond promptly, on the basis of the international system for the protection of the human person, consisting of international human rights law, international humanitarian law and international criminal law, which was being elaborated to put an end to grave and systematic violations of international humanitarian law

(Mr. Guillen, Peru)

and to punish them properly through the establishment of the International Tribunal for the prosecution of alleged perpetrators of grave violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. Nevertheless, the violence committed by terrorist groups - a reprehensible phenomenon of contemporary life - should not be forgotten. In that connection, there was a need to strengthen the doctrine being elaborated, the resolutions adopted by the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, both of which condemned terrorism in all its forms and manifestations as a violation of human rights, constituted significant progress in that regard. The adoption by the General Assembly of draft resolution A/C.3/48/L.42, entitled "Human rights and terrorism", would be a further step towards upgrading the Organization's efforts to condemn the human rights violations committed by terrorist groups.

3. Peru, convinced of the importance of promoting and ensuring respect for human rights, had always maintained close coordination with the United Nations system, as shown by its policy of collaborating with the relevant human rights bodies. The resolution dealing with the human rights situation in Peru adopted by the Subcommission on Prevention of Discrimination and Protection of Minorities, which strongly condemned the violations of human rights perpetrated by the terrorist groups Sendero Luminoso ("Shining Path") and the Tupac Amaru revolutionary movement, was tangible proof of the growing understanding on the part of the international community of the criminal dimensions of terrorist violence in Peru.

4. A broad dialogue between the State and the public, involving a common approach to human rights issues, was currently taking place in Peru. The best evidence of that was the recent establishment of the National Council on Human Rights, consisting of public officials, a representative of non-governmental organizations dedicated to the promotion and protection of human rights, a representative of the Catholic Church, and a representative of the National Family Welfare Institute, among others. The Council's functions included formulating and making proposals to the executive branch concerning human rights policy and establishing institutional links with organizations involved in the defence, promotion and protection of human rights. In addition, the new criminal legislation had given a new dimension to constitutional rights, habeas corpus and the remedy of amparo, and had provided for the possibility of review in cases of flagrant judicial error.

5. Lastly, the constitution approved in a referendum on 31 October 1993 had become the cornerstone of a renewed effort that would ensure the continuation of the broadest respect for human rights.

6. Mrs. MSUYA (United Republic of Tanzania) said that, although 45 years had passed since the adoption of the Universal Declaration of Human Rights, the vast majority of the world population had yet to enjoy the human rights embodied in the Declaration, the most basic of which was the right to life, for without it, the other rights could not be enjoyed. Accordingly, any effort to promote and

(Mrs. Msuya, United Republic of Tanzania)

protect human rights must take into account the right to economic development, so as to sustain life.

7. Poverty and misery undermined the prospects for effective enjoyment of human rights and fundamental freedoms. Every day, thousands of children died because of malnutrition and preventable diseases, and every year, millions of women died in childbirth for lack of proper facilities, and millions of people died of starvation in developing countries. Furthermore, poverty was one of the causes of environmental degradation, and thus minimized the possibilities for economic development.

8. The international community should endeavour to arrest that trend and to eliminate poverty. Food shortages could be eliminated, health services improved and income distribution regulated through the enhancement of international economic cooperation and development assistance. Her country was optimistic that the renewed quest for global promotion and protection of human rights would ensure that the right to development was reflected in practical policies focusing on balanced socio-economic development; that would be the most effective guarantee of the enjoyment of human rights and fundamental freedoms.

9. She emphasized the recommendations contained in the Vienna Declaration, which urged Governments and the United Nations system, as well as other multilateral organizations, to increase considerably the resources allocated to programmes aiming at the establishment and strengthening of national legislation, national institutions and related infrastructures, which upheld the rule of law and democracy, human rights awareness through training, teaching and education, popular participation and civil society. The Vienna document implied a commitment by all Governments to give greater prominence to human rights in their policies, a commitment which her country shared. The international community should work out the modalities for the implementation of the Vienna Declaration and Programme of Action in order to make possible the enjoyment of human rights through their embodiment in national and international institutions.

10. Ms. KOFLER (Austria), referring to agenda item 114 (c), said that her country shared the concern expressed in the reports on the situation of human rights in the territory of the former Yugoslavia, Afghanistan, the Islamic Republic of Iran, Iraq, Cuba, the Sudan and Somalia, supported the recommendations set forth in the reports and urged all States concerned to take account of them.

11. Austria was particularly interested in the question concerning the proper procedure for States and international and non-governmental organizations to express their views on human rights violations in a specific country or field. The World Conference on Human Rights held in June 1993 had confirmed that the promotion and protection of human rights was a legitimate concern of the international community; in other words, it was not an internal affair of the State concerned and, therefore, was in accordance with the Charter of the United Nations. Austria was also open to criticism in that regard by other States,

(Ms. Kofler, Austria)

international or regional bodies and non-governmental organizations and, while it was not always in agreement with such criticism, it accepted the procedures and the principle that the protection of human rights constituted a legitimate concern for all. On several occasions, the European Court of Human Rights had found that Austria had violated the European Convention on Human Rights, which had resulted not only in the payment of compensation to those concerned, but, frequently, in amendments to the legislation or regulations in question. In other cases, non-governmental organizations pointed out problems related to respect for human rights in Austria, and a very fruitful dialogue generally ensued.

12. In order to change the deplorable situation described in the final document of the World Conference on Human Rights, open cooperation by all States with the various United Nations human rights mechanisms was necessary. Those mechanisms and their reports, conclusions and recommendations were of paramount importance for the promotion and universal protection of human rights. The unconditional cooperation of the State concerned with the mechanisms established by the intergovernmental bodies, including authorization of the presence of experts and rapporteurs in the field, was essential. Those mechanisms and the bodies set up under the human rights treaties provided a forum in which a productive dialogue could be established between the States concerned; Austria noted with satisfaction that an increasing number of countries were committed to that approach through, inter alia, the technical assistance and advisory services provided by the Centre for Human Rights. There were numerous examples which demonstrated that such dialogue and cooperation helped to a large extent to promote and protect human rights.

13. Integrating the promotion and protection of human rights into peace-keeping operations was another aspect which was becoming increasingly important. The recent operations in Cambodia and El Salvador were clear examples of that aspect.

14. Unfortunately, dialogue and cooperation did not always yield the desired results. In some cases, such as that of the former Yugoslavia, the authorities concerned did not respond to such a strategy. The international community must initiate a discussion on how to respond to those systematic and persistent human rights violations. Some cases might require a decision by the Security Council, while in others the presence of observers in the field might be sufficient.

15. The future High Commissioner for Human Rights could play a role in that field; his work would range from dialogue to counselling with regard to the protection of human rights, from coordinating the integration of human rights aspects into all United Nations activities, including peace-keeping operations, to appropriate responses to flagrant human rights violations. In that regard, Austria hoped that that post could be established without delay, which post would enable the United Nations to play a more effective role in the promotion and protection of human rights.

16. Mr. KUNTJORO-JAKTI (Indonesia) underscored the importance of the World Conference on Human Rights because it had provided an opportunity for the international community to deliberate on its approach to human rights at a time when many of the cold war obstacles had been eliminated. The Vienna Declaration and Programme of Action, which had been adopted by consensus, embodied mutual respect for the divergent cultures and historical contexts in which they were to be implemented. The international community was moving towards an overall approach to human rights issues, and his delegation sincerely hoped that the cooperation called for in the Charter of the United Nations would characterize that approach.

17. Indonesia and the non-aligned countries welcomed the establishment by the Committee of the open-ended working group to consider, among other items, the question of the establishment of the post of a High Commissioner for Human Rights. While sufficient time should be allotted in order to explore that question fully, whatever decisions were taken by the working group, particularly those on very sensitive issues, must be based on consensus. Furthermore, since the working group was considering issues of considerable substance and lasting impact, a limited time-frame should not be imposed on it.

18. The World Conference on Human Rights had made a number of recommendations concerning increased coordination in human rights activities within the United Nations system as well as rationalization of the work of the specialized agencies dealing with human rights in order to avoid unnecessary duplication. The Conference had also recognized that increased efforts should be made to assist countries which so requested to create the conditions for the exercise of universal human rights and fundamental freedoms and that, to that end, the programmes of advisory services of the Centre for Human Rights should be strengthened and made more efficient and transparent and that the Centre should be given a larger role in the promotion of human rights to enable it to provide adequate technical assistance to the developing countries. As indicated in the Programme of Action, the Centre should play an important role in coordinating the work of the entire system in the field of human rights.

19. With regard to the recommendation by the Conference that priority should be given to the promotion of democracy, development and human rights, he pointed out that that recommendation had also been set forth in the Jakarta Message, adopted at the Tenth Summit of Non-Aligned Countries. The movement of non-aligned countries was committed to actively promoting democracy, development and human rights and that had been the case since well before the World Conference. He wished to underscore, however, the importance that developing countries attached to giving particular priority to sustainable socio-economic development in order to overcome poverty and ensure a stable future, which should not be misinterpreted as putting human rights on hold, but rather, on the contrary, should be recognized as a serious effort to promote and protect them.

20. The non-aligned countries attached considerable importance to the Declaration on the Right to Development and the reaffirmation by the Conference of the right to development as a universal and inalienable human right and an integral part of fundamental human rights. Accordingly, his delegation urged the General Assembly to formulate and consider in an expeditious manner

(Mr. Kuntjoro-Jakti, Indonesia)

comprehensive and effective measures to eliminate obstacles to enjoyment of the right to development. In that regard, Indonesia had introduced Commission on Human Rights resolution 1993/22, which, inter alia, reaffirmed the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development and established a working group to identify obstacles to the implementation of that right and recommend ways and means towards its realization. Indonesia had, on behalf of the movement of non-aligned countries, introduced a draft resolution on the right to development, which he hoped would be adopted by consensus.

21. Mr. ANDRIYAKA (Ukraine) stressed the importance of the World Conference on Human Rights and of the Vienna Declaration and Programme of Action, which contained a whole range of important elements of human rights interpretation and practice in the contemporary world. Of particular interest were the conclusions of the Conference concerning the elimination of discrimination against women and the protection of their rights. On that subject, his delegation fully supported the provisions in resolution 1993/46 of the Commission on Human Rights, condemning all acts of violence and violations of human rights directed specifically against women, as well as the initiative to appoint a special rapporteur on violence against women. The activities of the Commission on Human Rights promoted implementation of the Vienna Declaration and Programme of Action to a great extent through its special rapporteurs and working groups. The Ukrainian delegation regarded as very timely resolution 1993/20, on the appointment for a three-year period of a special rapporteur on contemporary forms of racism, racial discrimination and intolerance, and 1993/45, requesting the Special Rapporteurs to protect the right to freedom of opinion and expression. The Programme of Action adopted by the Commission on Human Rights in 1992 for the prevention of the sale of children, child prostitution and child pornography, as well as the report of the Special Rapporteur on that issue, deserved positive appraisal. His delegation supported the activities of the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the question of torture.

22. Among the recommendations made by the World Conference regarding activities of States to promote the exercise of human rights, special attention should be given to the appeal about the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues. On that subject, he pointed out that Ukraine was a party to basic international human rights documents. In 1990, it had acceded to the First Optional Protocol to the International Covenant on Civil and Political Rights, and it had already established the Special Commission for consideration of international organizations' inquiries on human rights violations. His Government had also acknowledged the competence of the International Court of Justice on six covenants on human rights. Systematic work was being carried out in Ukraine to bring the national legislation in line with international standards, and many legislative acts on human rights had recently been adopted, although there was still a need to abolish the outdated legislation and practices that were still in force.

(Mr. Andriyaka, Ukraine)

23. Economic hardship and external political and economic pressures had made it very difficult to reform social life and apply the international treaties on human rights. Similar obstacles had hindered efforts to reform law enforcement bodies, the penitentiary system and the process of dividing powers among the legislative, executive and judicial branches.

24. The Government of Ukraine was paying special attention to the policy of inter-ethnic relations, bearing in mind that the continuing economic crisis had increased the potential for political instability and that one fourth of the population consisted of representatives from various nationalities. A legal basis had been created to protect the rights of minorities; among the legal acts in that area were the Declaration of Rights of Nationalities, the Law on Languages and the Law on National Minorities of Ukraine. The Ministry for Nationalities and Migration had recently been established. His Government's policy on nationalities was conducted in the following major fields: the revival of Ukrainian statehood and national originality, securing the rights of national minorities in the territory of Ukraine, rehabilitation of the rights of people deported under Stalinism and protection of rights of Ukrainians beyond Ukraine, particularly in the territory of the former Soviet Union.

25. The revival of frequently misinterpreted Ukrainian culture was intended to repair the huge damage caused by forceful Russification, without affecting the interests and rights of ethnic Russians. In that context, the dubious meaning of the term "Russian-speaking population" and of the stated intention of a neighbouring State to protect that population should be pointed out. The fact that half the residents of Ukraine had command of the Russian language did not authorize any entity from abroad to take care of them. Furthermore, Ukrainians in Russia numbered no less than 4.3 million, and yet they did not have a single Ukrainian theatre or newspaper, while the cultural and educational needs of Russians in Ukraine were totally satisfied from the state budget.

26. The Ukrainian delegation welcomed the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and hoped that in the near future a relevant convention would also be worked out on the basis of that document.

27. Ms. DAMUŠIS (Lithuania) said that one of the principal accomplishments of the international community had been the adoption of the Vienna Declaration and Programme of Action. Lithuania firmly believed that a High Commissioner for Human Rights could bring the world closer to full implementation of human rights. Her delegation lauded the broad range of innovative mechanisms that existed to promote observance of human rights, including advisory services, treaty bodies, working groups, special and thematic rapporteurs, the work of independent experts and the Commission on Human Rights. However, greater coordination and integration of human rights concerns throughout the United Nations system would be needed if the Organization was to be effective in meeting its goals in that area.

28. The protection of rights of persons belonging to minorities was a matter of priority for Lithuania, where minorities made up a fifth of the population. The

(Ms. Damušis, Lithuania)

national policy on minorities had two main components: (1) legislative and administrative measures to protect their rights in order to provide an environment conducive to the preservation of their culture, heritage, language, religion and identity; and (2) minority participation and integration in political, economic and social life and in the development of Lithuania.

29. In 1989, 87 per cent of the residents of Lithuania had chosen to become Lithuanian citizens, and a law on national minorities had been passed which guaranteed equal rights to all citizens. In addition, the State provided financial assistance for educational programmes of minority institutions, and guaranteed minority communities freedom of association and equal access to the press. Also since 1989, the Department of Nationalities had been taking complaints and requests from minority groups in Lithuania. A Council of National Minority Associations, established under the Nationalities Department, was in charge of coordinating the work of leaders and representatives of national minorities and their organizations. It was common knowledge that the rights of minorities and of ethnic Lithuanians had been severely inhibited under Soviet rule, and that many of their schools, newspapers, museums and cultural centres and houses of worship had been closed.

30. Lithuania noted with satisfaction the results of the missions sent by the Secretary-General to Latvia from 27 to 30 October 1992 (A/47/748) and to Estonia from 7 to 11 February 1993 (A/48/511), which had not found gross violations of human rights or discriminatory practices and which had expressed optimism at the openness of the Estonian and Latvian officials to United Nations recommendations. The conclusions had recognized the transitional difficulties of both countries as they endeavoured to "redress certain historical inequities and injustices perpetrated during Soviet rule from 1940 to 1991". The most noticeable injustice had been the massive forcible transfer of civilian populations, which had brought Estonians and Latvians to the brink of national extinction. Lithuania deeply regretted the preposterous charges of the Russian Federation against Estonia and Latvia, as well as the alleged need to protect Russian speakers from political, social and police tyranny. Just as the United Nations missions had observed that some non-ethnic Estonians and non-ethnic Latvians harboured feelings of anxiety about their status and role in society, ethnic Estonians, Latvians and Lithuanians could attest to similar feelings of anxiety about statements by Russian officials linking strategic interests to human rights issues.

31. Her delegation welcomed the removal of the armed forces of the Russian Federation from Lithuanian territory three months earlier, which had ushered in a new era of relations of good-neighbourliness between the two countries. An approach based on dialogue was more likely to achieve lasting results than a position based on public confrontation which ignored specific local and historical circumstances.

32. Mr. AL-DOURI (Iraq) said that there was not a country in the world free of human rights violations, the nature and volume of which varied according to political, economic and social conditions both internal and external. Although everyone knew about that situation, all attention focused on the violations

(Mr. Al-Douri, Iraq)

committed in a few countries, and no one spoke of those committed in the wealthy countries or those well-connected to the superpowers. A tour of New York City at night was a sufficient indication of the human rights situation in the United States, where, in addition, discrimination was practised on the basis of race, sex and ethnic origin.

33. Human rights violations in Iraq were condemned in very strong language that was inappropriate for diplomatic forums, in an attempt to cover up the crime of the century, namely an economic embargo that was causing unspeakable human suffering. In July 1993, the Food and Agriculture Organization of the United Nations (FAO) had published a report detailing the terrible situation in which Iraq found itself as a result of that measure, taken by the international community in August 1990, but there had not been one word of support for Iraq in response to that report. His delegation requested the Committee, as it had requested the Commission on Human Rights previously, to study the effects of the economic embargo on human rights and to publish a report leading to more effective measures than the mere adoption of another repetitive resolution based on unverified information.

34. With regard to the report on the human rights situation in Iraq (A/48/600), it should be mentioned that the Special Rapporteur had visited the country only once, but that several officials had visited Iraqi Kurdistan without government authorization. The report was biased and derogatory and reflected an intention to maintain the embargo despite its negative effects on human rights.

35. The description of the situation in the marshlands was based on information provided by agents of a neighbouring country that wished to harm Iraq. The marshlands had been a theatre for a bloody eight-year war and were now a refuge for outlaws and criminals who sold themselves to Iran and were rightfully being tracked by the Iraqi security forces. That situation had resulted in lies aimed at creating chaos, which the Special Rapporteur had unscrupulously repeated. The lack of water resources affected not only the marshlands but also all of Iraq and the entire region. The low water level had increased the salt content of the water in lands required for agriculture, especially as the country was experiencing such a difficult situation. Those agricultural projects were part of a major effort to rebuild the country's infrastructure, of which the Iraqis were proud. In any event, the Special Rapporteur, whose attitude recalled the days of colonialism, when the Government of Iraq had to obtain approval before taking a decision on its internal affairs, condemned Iraq both when the water level was low and when it was high.

36. The ill will of the Special Rapporteur could also be seen in describing the inhabitants of the marshlands as "indigenous people". Those Arab tribes, whose origins were well known, had deep roots in Iraq and were related to Arabs throughout the region. All Iraqis, save the members of a few minorities, were indigenous peoples, and there was no reason why the people in the marshlands should receive any different treatment from the inhabitants of other areas of Iraq with regard to services or food rations. The foreign journalists who had visited the area had reflected a truer and more objective picture. Small development projects were being conducted in many remote villages in the

(Mr. Al-Douri, Iraq)

marshlands area, and a large-scale development project for enhancing services in the area was under way.

37. The report of the Special Rapporteur mentioned the forced displacement of over 5,000 persons to Iran. Supposing that that figure was correct, which had not been proved, the reason cited by the Special Rapporteur was not true, the real reason being that Iran and its agents were encouraging migration through the use of force or the spreading of false information. Those actions were facilitated by the fact that the inhabitants of the marshlands, who lived near the border between the two countries, had the same ethnic, religious and linguistic background.

38. Regarding the use of chemical weapons, he pointed out that the United Nations Special Commission established pursuant to Security Council resolution 687 (1991) had conducted the investigation referred to in the report of the Special Rapporteur and had issued a press release on 22 November 1993 in which it stated that there was no proof of the use of chemical weapons in the country.

39. The Special Rapporteur stated in his report that Iraq could overcome its medical and food problems by fulfilling Security Council resolutions 706 (1991) and 712 (1991). However, other Member States were not obliged to respect human rights in order for their people to receive food and medicine. Iraq should be able to sell its oil freely and use its assets to buy the basic products its people needed.

40. The vagueness of the charges of torture, detention and enforced disappearances prevented his delegation from responding to them properly. It should be mentioned, however, that the decree granting immunity to the night patrols could not be criticized since the aim of the patrols was to help the local police defend the community. That was also a common practice in many countries experiencing a difficult political situation.

41. With regard to the situation in Iraqi Kurdistan, Iraq was the only country in which the Kurds had an autonomous government, held local legislative elections and fully exercised their cultural, economic, civil and political rights. However, there were parties which had not wanted that experience to work, and those were the same parties which had prevented agreement between the central Government and the Kurdish leaders in early 1992, namely, the countries which were concerned with political gains in the region, including the United States of America. Currently, the region was under the protection of the allied forces and yet there were complaints about an internal blockade imposed by the central Government, even though it had no administrative or military authority in the region. His Government provided food rations to the Kurds, but could not secure the delivery of those rations; instead, the militia which controlled the area distributed them as it pleased. It was true that there was a shortage of medicines in that area, but that problem affected the entire country. It was not true that agricultural targets in Kurdish territory had been bombarded by artillery. His Government could not take responsibility for what was happening in an area which was completely outside its control. The Kurds living elsewhere in Iraq had equal rights with other citizens. The lack of electric power in the

(Mr. Al-Douri, Iraq)

region had been caused because, after the withdrawal of the central Government, the militia, with the support of the allied forces, had dismantled the power generators and sold them to neighbouring countries. The entire region had been looted and even high voltage wires had been stolen, and that had inevitably resulted in a breakdown of electric power.

42. Lastly, his delegation called on all countries, particularly those of Latin America, the Group of 77 and the Non-Aligned Movement, to bear it in mind that most of the information in the report of the Special Rapporteur was erroneous and to give it no credibility with regard to the serious consequences that might follow later.

43. Mr. CASTAÑEDA CORNEJO (El Salvador) said that in the course of 1993 important events had taken place in the area of human rights, in particular, the regional preparatory meeting for Latin America and the Caribbean for the World Conference on Human Rights, held in Costa Rica in January 1993, and the World Conference itself, held at Vienna in July 1993, in which El Salvador had fully participated and had reaffirmed its commitments to respect human rights. El Salvador had also supported the results of the Conference and had undertaken to fulfil the recommendations in the Vienna Declaration and Plan of Action. The World Conference had reaffirmed the universal nature of human rights, including the right to development, and the relationship between those concepts and democracy, which were mutually reinforcing.

44. El Salvador believed that the promotion and protection of human rights should have no borders and that Member States should allow the United Nations to investigate incidents which, for the international community, were unacceptable violations. The principles of sovereignty and non-interference in the internal affairs of States should not be given precedence over the need to investigate cases of human rights violations in any part of the world; unfortunately, however, some specific cases had been politicized and the application of the principles and mechanisms of the system had been selective, thereby damaging the credibility of the Organization and of multilateralism.

45. El Salvador supported the recommendations of the Conference designed to guarantee full rights for women in conditions of equality, take priority measures for the protection of children and make efforts for recognition of the rights of the disabled and the vulnerable groups. It also supported the view that greater attention should be paid to the achievement of economic, social and cultural rights which, if ignored, gave rise to frustration, resentment and social instability which sometimes led to actions in violation of civil and political rights. The improvement of economic and social conditions through integral and sustained development was consonant with the peace-building activities recommended by the Secretary-General in his report "An Agenda for Peace".

46. El Salvador had experienced a deep-seated political and military crisis up to 1991 which had largely been caused by the failure of a model of political, economic and social development which had not been able to meet the growing needs of the Salvadorian people. There had been an increase in the levels of

(Mr. Castañeda Cornejo, El Salvador)

poverty, social injustice, marginality and a lack of credibility of major social sectors; political expression had been suppressed and repressive measures had been taken in violation of human rights and fundamental freedoms to levels that were intolerable for the international community. That situation had reached a peak in the early 1980s but, despite the existence of armed conflict during which serious human rights violations had been perpetrated, it had evolved positively, as reflected in successive reports of the Special Representative of the Commission on Human Rights submitted to the Commission on Human Rights and the General Assembly, culminating in the achievement of the peace agreement, including the San José Agreement on human rights. That evolution had involved substantial changes in Salvadorian political institutions in order to achieve peace and begin the reconciliation and reconstruction of El Salvador through large-scale national efforts, with the solidarity and support of the United Nations and the international community.

47. For more than 10 years El Salvador had been monitored by the Inter-American Commission on Human Rights, at the regional level, and by the Commission on Human Rights and its subsidiary bodies and the Third Committee of the General Assembly, at the global level. Since 1991, the Security Council had considered the situation in El Salvador on the basis of reports of the Secretary-General on the peace process and, later, on the fulfilment of the commitments made in the peace agreement and, more specifically, through the operation, on the ground, of the United Nations Observer Mission in El Salvador (ONUSAL).

48. Over the past five years much more progress had been made than earlier in the protection and promotion of human rights. The reports on El Salvador recognized the efforts of the Government to consolidate a policy defined in fulfilment of its international responsibilities. The Government of El Salvador, with the cooperation of the United Nations, had set up a tripartite commission to investigate and eradicate illegal armed groups so as to remove obstacles to the consolidation of the peace process and the organization of free, transparent and representative elections in 1994. Moreover, the Government was currently reviewing international human rights instruments so that it would be able to accede in due course to those which would enable it to expand the enjoyment of those rights by the Salvadorian people.

49. The historical incidents, situations and circumstances which had given rise to the consideration of the item in the Committee had been left behind and a new historical stage had begun in which a new society would be built on the basis of peace, democracy and development along with social justice and respect for human rights and fundamental freedoms. Moreover, the consideration of the item required a multiplicity of efforts, resulting in expenses and loss of time for the United Nations which could be avoided if the analysis of the situation was carried out in a single body.

50. El Salvador was on the eve of a sovereign decision to be taken by its people in free, truly democratic, transparent and pluralist elections which were the outcome of a historical process of search for peace, in which for the first time in modern history political parties representing all ideological outlooks would participate, including the former Salvadorian guerrilla group (Frente

(Mr. Castañeda Cornejo, El Salvador)

Farabundo Martí para la Liberación Nacional), which had now entered El Salvador's political and institutional life as a political party. At the request of the Government, those elections would be carried out with the assistance and under the observation of the United Nations.

The meeting rose at 9.15 p.m.